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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT
DIVISION FOUR

In re J. M., a Person Coming Under the
Juvenile Court Law.

ALAMEDA COUNTY SOCIAL
SERVICES AGENCY,

Plaintiff and Respondent,

v.

R. M.,

Defendant and Appellant.

A124472

(Alameda County Super.
Ct. No. C-189915)

R. M., J. M.'s eight-year-old sibling, filed this appeal from an order denying his petition to change a court order seeking to establish a relationship with J. M., age five. The court denied R. M.'s petition, finding that there were no changed circumstances and that the requested order was not in the best interests of J. M. On July 13, 2009, R. M.'s appointed appellate counsel filed a no issues statement in accordance with *In re Sade C.* (1996) 13 Cal.4th 952, 994, and footnote 22 (*Sade C.*), stating that she had thoroughly reviewed the record and concluded that there were no arguable issues to raise on appeal. She also informed R. M.'s trial counsel that she would not be filing an opening brief. In her letter to this court, she notes that R. M.'s therapist opines that the requested order for contact with J. M. is not in R. M.'s best interests.

While this court has discretion under *Sade C.* to conduct an independent review of the record to determine whether there are any arguable issues for briefing, we decline to do so here. The juvenile court's order is presumed correct. Where no claim of error or defect is raised, we need not proceed to the merits of the court's order. (*Sade C., supra*, 13 Cal.4th at p. 994.) Accordingly, we treat the appeal as abandoned.

DISPOSITION

The appeal is dismissed.

RIVERA, J.

We concur:

REARDON, Acting P.J.

SEPULVEDA, J.